

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARCUS HUNT,)
)
)
Plaintiff,) Case No.
)
v.) JURY TRIAL DEMANDED
)
STEVEN OGUNJOBI,)
)
and)
JACOB STEIN,)
)
Defendants.)

NOTICE OF REMOVAL TO FEDERAL COURT

COME NOW Defendants Stephen Ogunjobi and Jacob Stein (collectively referred to herein as “Defendants”), pursuant to 28 U.S.C. § 1446(a), and notify this Court of the removal of the case styled *Marcus Hunt v. Steven Ogunjobi, et al.*, Cause No. 2022-CC09356, from the 22nd Judicial Circuit Court of Missouri, to the U.S. District Court for the Eastern District of Missouri. As grounds for removal, Defendants state as follows:

1. On July 17, 2020, Plaintiff Marcus Hunt (“Plaintiff”) filed his 4-count lawsuit against Defendants in the 22nd Judicial Circuit Court of Missouri, styled as *Marcus Hunt v. Steven Ogunjobi, et al.*, Cause No. 2022-CC09356.
2. Count I of Plaintiff’s Petition alleges that Defendant Ogunjobi violated his First Amendment rights.
3. Count II of Plaintiff’s Petition alleges that Defendants violated Plaintiff’s Fourth Amendment rights.

EXHIBIT B

Exhibit A

4. Count III of Plaintiff's Petition asserts a claim for failure to intervene against Defendants, alleging that the Defendants were present before and during the alleged violation of Plaintiff's First and Fourth Amendment rights.

5. Count IV of Plaintiff's Petition asserts a claim against Defendant Ogunjobi for false arrest/false imprisonment.

6. This Court has original jurisdiction over Plaintiff's Constitutional claims pursuant to 28 U.S.C. § 1331.

7. Venue is proper in this District pursuant to 28 U.S.C. § 1441(a) because this District and Division embrace the place in which the removed action has been pending.

8. Pursuant to Local Rule 2.03, a copy of all process, pleadings, orders and other documents on file in the State court are attached hereto.

9. Defendants were served on August 12, 2020. Defendants have removed this case within thirty days thereafter. Such removal is timely pursuant to 28 U.S.C. § 1446(b) and *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354-355 (1999).

10. Defendants herewith submit the filing fee in the amount of \$400.00 and the proof of filing the notice of removal with the clerk and state court.

WHEREFORE, Defendants petition this Court for removal of *Marcus Hunt v. Steven Ogunjobi, et al.*, Cause No. 2022-CC09356, from the Circuit Court of the City of St. Louis, State of Missouri, to this Court.

Respectfully submitted,

JULIAN BUSH
CITY COUNSELOR

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CERTIFICATE OF SERVICE

I hereby certify that on **September 11, 2020** the foregoing Notice was filed with the Court for service by means of Notice of Electronic Filing and sent via email and U.S. mail to:

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St. Louis, MO 63118
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Attorney for Plaintiff

/s/ Erin K. McGowan

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